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Application No. 03 766 591.6 - 1238	Ref. S 7466EU - ds	Date 23.10.2008
Applicant SAP AG		

Communication pursuant to Article 94(3) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(2) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 126(2) and 131(2) and (4) EPC. One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (R. 50(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Art. 94(4) EPC).



van der Weiden, Ad
Primary Examiner
For the Examining Division

Enclosure(s): 3 page/s reasons (Form 2906)
4 cited documents

The examination is being carried out on the **following application documents**:

Description, Pages

1-80 as originally filed

Claims, Numbers

1-23 received on 28.11.2006 with letter of 27.11.2006

Drawings, Sheets

1/53-53/53 as originally filed

The following documents (D) were found in a further search (see Guidelines C-VI, 8.2 and 8.3). Copies of the documents are annexed to the communication and the numbering will be adhered to in the rest of the procedure:

- D1: JAMES G. HAYES ET AL: IEEE INTERNET COMPUTING, 1 May 2000 (2000-05-01), - 30 June 2000 (2000-06-30) pages 37-45, Retrieved from the Internet:
URL:<http://computer.org/internet>
- D2: WO 01/61596 A (BEA SYSTEMS) 23 August 2001 (2001-08-23)
- D3: EP-A-1 003 114 (IBM) 24 May 2000 (2000-05-24)
- D4: US-A-5 960 404 (CHAAR ET AL (IBM)) 28 September 1999 (1999-09-28)

1. The amendments are compliant with the provisions of Art.123(2) EPC. Claims 15 and 20 however refer to non-existent claims or to claims in a different category, therefore these claims lack clarity.

2. Having considered the applicants argumentation, the examiner maintains the position that the present application lacks inventive step (Art. 56 EPC). The application is not excluded from patentability as it is not one of the exceptions listed in Art.52(2) and (3). This does not automatically mean that a search for prior-art is necessary. Recent case law however indicates that in specific cases a search might nevertheless be required. As some aspects of the present application might not be notoriously known, the examiner has decided to conduct a search for prior-art.
3. The problem the application seeks to solve is the interoperability of enterprise workflows without mutually revealing details about these workflows. The solution disclosed in the application is the use of a simplified view on the workflow. Document D1 discusses standards for interoperability of workflows and discloses the same solution on page 37 (If Acme wants...shipment status) where it explicitly says: "making this simplified external view of their internal order fulfillment processes available over the Web". Similarly on page 38 left hand column last paragraph, it is stated: "internals of a process instance need not be known across business domain boundaries". Document D3 (paragraph [0016]) explicitly discloses the same implementation as described in present claim 1 where two workflow management system applications (the workflows) are connected through two connector applications (the workflow views), the actual connection being established via mapping tables and connection agreements that provide mutual privacy (paragraph [0027]). Hence, present claim 1 is not inventive over the disclosure of either D1 or D3. Therefore claim 1 does not comply with the provisions of Art. 56 EPC.
 - 3.1 The same argumentation applies mutatis mutandis to independent claims 16 and 23. Hence these claims lack inventive step in the sense of Art. 56 EPC also.
 - 3.2 Dependent claims 2-15 and 17-22 do not appear to contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the EPC with respect to novelty and/or inventive step, the reasons being as follows:

The subject-matter of these claims consists in the selection of normal implementation options from the range of design options available to the person skilled in the art. Such a selection can only be regarded as inventive if the chosen option presents

unexpected effects or properties in relation to the rest of the options. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claim 2-15 and 17-22 (Articles 52(1) and 56 EPC).

4. At least some of the objections raised above are such that there appears to be no possibility of overcoming them by amendment. Refusal of the application under Article 97(2) EPC is therefore to be expected.

Should the applicant nevertheless regard some particular matter as patentable, an independent claim should be filed taking account of Rule 43(1) EPC. The applicant should also indicate the difference of the subject-matter of the new claim vis-à-vis the state of the art and the significance thereof.

- 4.1 In order to expedite the procedure the applicant is however requested to indicate with his reply where there is a basis for the amendments in the application as originally filed. Any information the applicant may wish to submit concerning the subject-matter of the invention, for example further details of its advantages or of the problem it solves, and for which there is no basis in the application as filed, should be confined to that letter of reply rather than be incorporated into the application, cf. the Guidelines C-VI 5.3.5 - 5.3.8.
- 4.2 When the applicant files a revised description and/or revised claims, he is kindly requested to include by way of addition to his reply a working copy with deletions and additions or amendments clearly shown in order that unnecessary confusion with regard to Article 123(2) EPC may be avoided.